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8 Attorneys for Defendant/Counterclaimant
9 Dataway, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 AT&T Corp.

14 PLAINTIFF,

15 v.

16 Dataway, Inc.

17 DEFENDANT.

CASE NO. C07-02440 EDL

**RE-NOTICE OF MOTION AND
MOTION TO COMPEL RESPONSE TO
DEFENDANT'S REQUEST FOR
PRODUCTION OF DOCUMENTS**

**Date: May 20, 2008
Time: 9:00 a.m.
Courtroom: E**

18 Dataway, Inc.

19 COUNTERCLAIMANT

20 v.

21 AT&T Corp.

22 COUNTERDEFENDANT

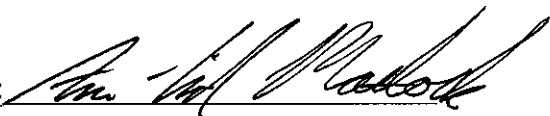
23 **TO AT&T CORPORATION AND ITS ATTORNEYS OF RECORD:**
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1 **PLEASE TAKE NOTICE THAT ON** May 20, 2008, at 9:00 a.m. or as
2 soon thereafter as the matter may be heard in the above-entitled Court located at 725
3 Court Street, Martinez, CA 94553, Dataway will and hereby does move this Court for an
4 order compelling AT&T Corporation to respond to Dataway's Request for Production of
5 Documents served upon Plaintiff on January 17, 2008, in accordance with the Federal
6 Rules of Civil Procedure and the Northern District Local Rules. Dataway also moves for
7 an order that AT&T pay to the moving party the sum of \$ 3,375.00 as the reasonable
8 costs and attorney fees incurred by the moving party in connection with this proceeding.
9 This motion is made on the grounds that said Request for Production of Documents were
10 relevant to the subject matter of the action and did not relate to privileged matters, and
11 the refusal to respond is without justification.

12 This motion will be based on this Notice of Motion and Motion, the
13 Memorandum of Points and Authorities filed herewith and the declaration of Anne-Leith
14 Matlock, Request for Production of Documents and Responses, copies of which are
15 attached hereto and incorporated herein as Exhibit A.

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17 Dated: April 11, 2008

MATLOCK LAW GROUP

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20 By: 

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22 Anne-Leith Matlock, Esq.
23 Attorneys for Defendant/
24 Counterclaimant Dataway, Inc.
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